

## MINUTES

CASE NUMBER: CR 04-00134SOM  
CASE NAME: USA vs. (03) Lani Ann Brewer  
ATTYS FOR PLA: Michael Kawahara  
ATTYS FOR DEFT: 03 Michael Jay Green  
Peter Yoshihara (USPO)

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JUDGE:	Susan Oki Mollway	REPORTER:	Debra Chun
DATE:	6/12/2007	TIME:	10:30 - 10:45 10:55 - 11:40

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COURT ACTION: EP: Sentencing to Count 1 of the Third Superseding Indictment;  
Government's Motion for Downward Departure -

Defendant (03) Lani Ann Brewer present.

Defendant requests a brief recess.

10:55 a.m. - Defendant is ready to proceed.

Court adopts the PSR and the USPO's recommendation, and they are placed under seal.

Court found that the defendant qualifies for the "safety valve" provisions as set forth in 18 USC Section 3553(f)(1)-(5).

Allocution by Defendant.

Government's Motion for Downward Departure - Granted.

ADJUDGED:

Imprisonment: TIME SERVED.

Supervised Release: 4 Years.

Special Assessment: \$100.00.

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event, the maximum shall increase to up to one valid drug test per day.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ▶ That the defendant provide the Probation Office access to any requested financial information as directed by the Probation Office.
- ▶ That the defendant participate in a mental health program at the discretion and direction of the Probation Office.
- ▶ That the defendant shall submit her person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- > That the defendant serve 200 of days of intermittent confinement at the Federal Detention Center Honolulu (FDC) commencing on 6/23/2007 and to be completed on/or by 5/31/2008. The defendant shall comply with the rules and regulations set forth by the FDC. The defendant shall surrender to the FDC no later than 6pm on 6/23/2007 on each Saturday and shall be released from FDC no later than 8am on each Tuesday.

Mittimus is stayed until 6/23/07.

Defendant advised of her right to appeal.

Submitted by: Toni Fujinaga, Courtroom Manager.